

Project activities would not begin until an authorized biologist has been approved.

When a desert tortoise is moved, the qualified biologist would be responsible for taking appropriate measures to ensure that the animal is not exposed to temperature extremes that could be harmful. The authorized personnel would follow the appropriate protocols outlined in *Guidelines for Handling Desert Tortoises during Construction Projects* (Desert Tortoise Council 1996) when handling desert tortoises or excavating their burrows. Tortoises removed from occupied burrows and relocated to newly constructed burrows would be handled using disposable surgical gloves. The gloves would be disposed of after handling each tortoise. Other equipment would be sterilized or changed between uses. Desert tortoises that are found aboveground and need to be moved from harm's way would be placed in the shade of a shrub. Any desert tortoise removed from a burrow would be placed in an unoccupied burrow of approximately the same size as the one from which it was removed.

**MM BIO-5d. Pre-construction Sweeps.** An Authorized Biologist and/or other biologists approved by CDFG and USFWS (collectively, "Biologists") would perform a pre-construction sweep in desert tortoise habitat and would remain on site during working hours until permanent fencing has been installed to prevent desert tortoises from entering the right-of-way. ~~In addition, the Biologists would be present to perform a pre-construction sweep and would remain on site during working hours until temporary fencing to preclude tortoise from entering work sites in the wash areas has been installed.~~ The Biologists would also be present during the removal of the temporary fencing. Each of the Biologists would have appropriate qualifications and would be approved by CDFG and USFWS at least 30 days prior to any ground disturbing activities. The Biologists would ensure compliance with the management measures provided in this permit. All desert tortoise burrows and pallets that fall outside of, but within 50 feet of the construction work area, would be flagged for avoidance. No stakes or flagging would be placed on the berm or in the mouth of a desert tortoise burrow. Desert tortoise burrows would not be marked in a manner that facilitates poaching. Avoidance flagging would be designed to be easily distinguished from access route or other flagging, and would be designed in consultation with experienced construction personnel and authorized biologists.